

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

OMARI PATTON,

Plaintiff,

24cv0166

ELECTRONICALLY FILED

v.

KEITH STAMPER, CRAIG HALLER,  
JENNIFER HODGE,

Defendants.

Order adopting Report and Recommendation and Dismissing Case with Prejudice

Plaintiff filed the instant *pro se* civil rights action on February 8, 2024, alleging a 10-Count Complaint against Defendants, Keith Stamper, a Special Agent with the Drug Enforcement Administration, Assistant United States Attorney in the United States Attorney's Office for the Western District of Pennsylvania, and Jennifer Hodge, a Deputy Assistant Attorney General in the Criminal Division of the U.S. Department of Justice. Plaintiff alleges that Defendants violated his civil rights in connection with allegedly false statements made by Defendants in an application to install a video surveillance device in a vehicle believed to be used in a drug conspiracy. He also alleges Attorney Haller made false statements to a grand jury related to a federal prosecution of Plaintiff for conspiring to distribute a controlled substance in violation of 21 U.S.C. § 846. This matter was referred to United States Magistrate Judge

Christopher Brown for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636, and Local Civil Rule 72.

Pending before this Court is Defendants' Motion to Dismiss the Complaint for failure to state a claim upon which relief may be granted. [Doc. 22](#). Defendants argue that Plaintiff's Complaint should be dismissed in its entirety and raise several arguments in support of dismissal. In the thorough Report and Recommendation of United States Magistrate Judge Christopher Brown, filed on February 7, 2025, it is recommended that Plaintiff's Complaint be dismissed with prejudice as Plaintiff asserts claims that have no private right of action, are not legally recognized, Defendants are entitled to immunity and Plaintiff's purported *Bivens* claims are not recognized causes of action. [Doc. 34](#).

Objections to the Report and Recommendation were due by February 24, 2025. [Doc. 34](#). No objections were filed and the Court previously entered an Order granting the Motion to Dismiss and dismissing the case on April 15, 2025. Then, on April 18, 2025, Plaintiff filed a Motion to file Objections to the Report and Recommendation, claiming that because he had been transferred to another facility, he did not receive notice of such and the Court denied his motion as moot and allowed him until May 2, 2025 to file his Objections. Plaintiff has now filed his Objections to the Report and Recommendation now seeking that the Court not adopt the Report and Recommendation and construe his claims under the Federal Tort Claims Act (FTCA). Plaintiff's exhibit submitted in support thereof does not show that he has done so, in any event, and as the Report and Recommendation explains ([Doc. 34 at 18](#)), even under after liberally construing his Complaint, he does not state a plausible claim under the FTCA.

After *de novo* review of the Record in this matter, including the Motion to Dismiss, and well- reasoned and thorough Report and Recommendation of Magistrate Judge Brown, Defendants' Motion to Dismiss is GRANTED.

It is further ORDERED that the March 6, 2022 Report and Recommendation ([Doc. 22](#)) is adopted as the Opinion of the Court.

Finally, it is ORDERED that the Clerk of Court is to mark this matter closed.

SO ORDERED this 27th day of May, 2025.

s/Arthur J. Schwab  
Arthur J. Schwab  
United States District Judge

CC: All ECF registered counsel of record

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